CHAPTER 3

DIRECT INVESTIGATION

3.1 Since 1994, The Ombudsman has been empowered to initiate direct investigation, i.e. without any complaint being received.

Selection of Issues

3.2 From time to time, my Office identifies issues of community interest which call for review of administrative systems and procedures or practices. These may be prompted by new or revised Government policies, topical issues or repeated complaints to me on particular matters. I attach great importance to this function because it enables me to conduct independent review of matters of moment at a macro level.

3.3 Selection of areas for direct investigation is a rigorous process undertaken by a standing panel chaired by my deputy. Matters for direct investigation are generally :

- of community interest, aspiration or expectation;
- not for the courts or tribunals;
- not under examination or study by another agency; and
- of macro magnitude.

Aims and Objects

3.4 My direct investigations aim :

(a) to follow through related problems which investigation of individual complaints cannot resolve;

(b) to anticipate, and eliminate, problems or complaints; and

(c) to address fundamental problems believed or suspected to be the underlying reasons for complaint.

3.5 With direct investigations, we endeavour to improve the quality of public administration and to forestall complaints. This should help Government to deliver better services to our ever more demanding community.

Investigations over the Years

3.6 Since conferment of direct investigation powers on my predecessor (then Commissioner for Administrative Complaints) in 1994, this Office has completed 35 direct investigations leading to 468 recommendations. The full list of investigations is at **Annex 11**.

3.7 This year, my Office has completed four direct investigations. These include a highly complex and controversial investigation into the management of public housing construction projects by the Housing Authority and the Housing Department. I have had to deploy staff from two teams for this assignment.

Fig.3.1	**Direct investigation reports published in 2001/02**
29 June 2001	Procedures for handling travellers suspected of using false or otherwise suspect travel documents
8 March 2002	Management of construction projects by the Housing Authority and the Housing Department
28 March 2002	Administration of public examinations
28 March 2002	Anti-smoking enforcement mechanism

Fig.3.2 Direct investigations in progress
Education Department's contingency and relief measures for the secondary school places allocation exercise 2001
Funding of sports programmes and activities
Monitoring and control of fund-raising activities
Hospital Authority practices for dealing with missing patients